



ALLIED WASTE
INDUSTRIES, INC.



SDMS DocID 2157743

October 21, 2005

VIA OVERNIGHT MAIL

ORIGINAL

Ms. Carlyn Winter Prisk (3HS62)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Section 104(e) Response for Edward Lawrenson, Inc.
Lower Darby Creek Area Superfund Site

Dear Ms. Prisk:

On behalf of BFI Waste Systems of North America, Inc. ("BFI-NA" or "the Company"), we are responding to EPA's letter of August 1, 2005, to BFI-NA requesting information pursuant to CERCLA § 104(e) regarding the above referenced site. EPA previously granted BFI-NA an extension until October 21, 2005, to file a response to its information request.

As you are aware, on June 29, 2001, Allied Waste Industries, Inc., ("Allied"), the corporate parent of Browning-Ferris Industries, Inc. ("BFI") (Browning-Ferris Industries, Inc. was converted to Browning-Ferris Industries, LLC on December 31, 2004), filed an initial response to EPA's letter of May 18, 2001, requesting information pursuant to CERCLA § 104(e) regarding the above referenced site. In that response, Allied committed to continue its search for documents and information relevant to EPA's information request.

This response incorporates all information that could be obtained through October 21, 2005. The Company is continuing to conduct a diligent search for any relevant documents, but that search has met with little success. Aside from the information provided today, no additional relevant documents or information have been identified.

RESPONSE

1. Provide any and all information and records regarding your purchase or acquisition of, or merger with Edward Lawrenson, Inc., or the purchase or acquisition of, or merger with Edward Lawrenson, Inc. by your subsidiaries.
 - a. The purpose of the purchase, acquisition, or merger;
 - b. The date of the sale;
 - c. The sale price;
 - d. A list of all equipment, buildings, and other business capital that was included in the sale, acquisition, or merger;

- e. A list of all waste transportation contracts included or referenced in the purchase or merger agreement;
- f. A list of all the agreements and/or contracts included or referenced in the purchase or merger agreement; and
- g. The names, title, addresses, and phone numbers of any of your employees or representatives that may have knowledge of the purchase or merger agreement and its terms.

Response to Request No. 1:

In or around 1987, American Environmental Controls, Inc. ("AEC"), a Pennsylvania corporation, acquired Eastern Industrial Corporation ("Eastern"), which thereafter operated as a wholly owned subsidiary of AEC. On May 17, 1988, AEC changed its name to American Waste-a-Way, Inc. ("American"). On December 31, 1998, Eastern and Lawrenson, a New Jersey corporation, were merged into American. At the time of the merger, the stockholders of American were John W. Moore, Alfred E. Hawthorne, Frank J. DiSantis, Edward Lawrenson, and Patricia Lawrenson.

On June 29, 1990, Attwoods, Inc. ("Attwoods"), a Delaware corporation, purchased the stock of American from its stockholders. American remained a wholly-owned subsidiary of Attwoods after this transaction.

In December of 1994, BFI, a Delaware corporation, acquired Attwoods of North America ("Attwoods-NA"), the parent company of Attwoods. American became a subsidiary of BFI as a result of this transaction. On March 14, 1995, American changed its name to Browning Ferris Industries of Port Richmond, Inc. ("BFI-PR").

On September 29, 1997, BFI-PR was merged into BFI-NA, a Delaware corporation. BFI-NA was the surviving corporation of the merger. BFI-NA is a wholly owned subsidiary of BFI. On July 30, 1999, the stock of BFI was acquired by a subsidiary of Allied Waste Industries, Inc. (Browning-Ferris Industries, Inc. was converted to Browning-Ferris Industries, LLC on December 31, 2004). BFI-NA became a subsidiary of Allied Waste Industries as a result of this transaction. At present, BFI is a wholly-owned subsidiary of Allied Waste North America, Inc., a direct subsidiary of Allied Waste Industries, Inc.

- Exhibit 1: American Environmental Controls, Inc. American Waste-A-Way, Inc. and BFI of Port of Richmond, Inc. -- Corporate History from Pennsylvania Department of State's Corporation Database.
- Exhibit 2: American Environmental Control, Inc. - Certificate of Incorporation (December 10, 1987).
- Exhibit 3: Certificate of Amendment changing name of American Environmental Control, Inc. to American Waste-A-Way Corporation (May 17, 1988).

- Exhibit 4: Plan of Merger, dated December 22, 1988, among American Waste-A-Way Corp., Edward Lawrenson, Inc., and Eastern Industrial Corp.: Certificate of Merger (December 31, 1988).
 - Exhibit 5: Attwoods of North America, Inc -- Corporate History from Delaware Secretary of State, Division of Corporations' Database.
 - Exhibit 6: Attwoods, Inc -- Corporate History from Delaware Secretary of State, Division of Corporations' Database.
 - Exhibit 7: BFI Waste Systems of North America, Inc. -- Corporate History from Delaware Secretary of State, Division of Corporations' Database.
 - Exhibit 8: Articles of Amendment changing name of American Waste-A-Way Corp. to BFI of Port Richmond, Inc. (February 14, 1995).
 - Exhibit 9: Articles of Merger of Attwoods Environmental of Pennsylvania, Inc. and BFI of Port Richmond, Inc. into BFI Waste Systems of North America Inc. (September 29, 1997).
 - Exhibit 10: Certification of Ownership of Merger of Attwoods Environmental Inc. into BFI Waste Systems of North America, Inc. (September 29, 1997).
2. List and provide the following information regarding former Edward Lawrenson, Inc. employees:
- a. The names and dates of employment of each of those employees;
 - b. The job title and responsibilities of each of those employees; and
 - c. The current addresses and phone numbers of each of those employees.

Response to Request No. 2

In preparing its response to this request, counsel for the Company interviewed two employees who, to the best of the Company's current knowledge, are the only two remaining employees of the Company that previously worked for Lawrenson. They are Mike Gonelli and John Wright. Messrs. Gonelli and Wright may be contacted through counsel. In addition, the Company has the following information concerning other former-Lawrenson employees who are still alive:

Joc McGoldrick (former Lawrenson driver)

Ladson (Sonny) Witherspoon (former Lawrenson driver)

Bill Wetzel (former Lawrenson driver)

The two other former-Lawrenson drivers known to the Company are Richard Morese and John Williams. Neither individual remains employed by the Company, nor has any information as to their current address been located.

3. List and provide all records regarding the waste types and quantities transported by Edward Lawrenson, Inc. or its successors to Clearview, Folcroft and/or Folcroft Annex.

Response to Request No. 3

The Company has been unable to locate any documentation or information suggesting that waste was transported to the Clearview, Folcroft and/or Folcroft Annex sites by Lawrenson. To the best of its knowledge, it is the Company's understanding that no Lawrenson employee ever disposed of waste at the Clearview, Folcroft and/or Folcroft Annex sites.

In October 2005, counsel for the Company interviewed two employees who, to the best of the Company's current knowledge, are the only two remaining employees of the Company that previously worked for Lawrenson. Both are employed at the BFI-PR location. Both former-Lawrenson drivers stated that they did not recall disposing of any waste at the Clearview, Folcroft and/or Folcroft Annex sites and that they did not recall anyone employed by Lawrenson using those locations.

During similar interviews conducted in 2001 in relation to EPA's information request concerning the activities of Eastern Industrial at the Darby Creek Area Site, Joe McGoldrick and Bill Wetzel were interviewed. At that time, neither recalled ever depositing waste at the Clearview, Folcroft, and/or Folcroft Annex sites while they were employed by Lawrenson. Additionally, neither was aware of any other Lawrenson drivers who went to those sites.

There are no remaining records which the Company has been able to locate that would suggest that Lawrenson disposed of waste at the Clearview, Folcroft and/or Folcroft Annex sites.

4. List and provide all records regarding the customers serviced by Edward Lawrenson, Inc. or its successors that may have been transported to Clearview, Folcroft and/or Folcroft Annex. For each of these customers, include the following information.
 - a. The names, addresses and business types of each customer;
 - b. The types and quantities of waste materials generated by each customer;
 - c. How and where the waste materials were collected from each customer; and

- d. The services in addition to waste pickup and transportation, provided by you to each of these customers.

Response to Request No. 4

The Company has been unable to locate any records indicating that Lawrenson transported waste to Clearview, Folcroft and/or Folcroft Annex.

5. Please describe in detail the documents and record retention policies of Edward Lawrenson, Inc., BFI Waste Systems of North America, Inc. and any other company or entity, including any intermediary owner, which purchased, acquired, or merged with Edward Lawrenson, Inc.

Response to Request No. 5

BFI's Record Retention Policy is attached. The Company has not been able to locate any information on Lawrenson's document retention policy prior to its becoming affiliated with BFI.

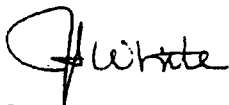
Exhibit 11: BFI Record Retention and Destruction (September 1, 1975; revised November 1, 1994).

Please direct all future correspondence and questions regarding this response and the Lower Darby Creek Area Superfund Site to the following individuals:

Jeffrey N. Martin, Esq.
Hunton & Williams
1900 K Street, N.W.
Washington, D.C. 20006-1109
Tel (202) 955-1500
Fax (202) 778-2201
jmartin@hunton.com

Jo Lynn White, Esq.
Deputy General Counsel
Allied Waste Industries, Inc.
15880 N. Greenway-Hayden Loop.
Suite 100
Scottsdale, AZ 85260
Tel (480) 627-2714
Fax (480) 627-2728
jlwhite@awin.com

Sincerely,



JoLynn White, Esq.

cc: Jeffrey N. Martin, Esq.
David G. Scott, Esq.

Enclosures

**RESPONSE OF BFI-NA TO EPA'S REQUEST OF INFORMATION CONCERNING THE
DARBY CREEK SITE AND EDWARD LAWRENSEN, INC.**

INDEX OF EXHIBITS

Exhibit Number

- 1 American Environmental Controls, Inc. American Waste-A-Way, Inc. and BFI of Port of Richmond, Inc. -- Corporate History from Pennsylvania Department of State's Corporation Database [2002].
- 2 American Environmental Control, Inc. - Certificate of Incorporation (December 10, 1987).
- 3 Certificate of Amendment changing name of American Environmental Control, Inc. to American Waste-A-Way Corporation (May 17, 1988).
- 4 Plan of Merger among American Waste-A-Way Corp., Edward Lawrenson, Inc., and Eastern Industrial Corp.; Certificate of Merger (December 31, 1988).
- 5 Attwoods of North America, Inc -- Corporate History from Delaware Secretary of State, Division of Corporations' Database [2003].
- 6 Attwoods, Inc -- Corporate History from Delaware Secretary of State, Division of Corporations' Database [2003].
- 7 BFI Waste Systems of North America, Inc. -- Corporate History from Delaware Secretary of State, Division of Corporations' Database [2003].
- 8 Articles of Amendment changing name of American Waste-A-Way Corp. to BFI of Port Richmond, Inc. (February 14, 1995).
- 9 Articles of Merger of Attwoods Environmental of Pennsylvania, Inc. and BFI of Port Richmond, Inc. into BFI Waste Systems of North America Inc. (September 29, 1997).
- 10 Certification of Ownership of Merger of Attwoods Environmental Inc. into BFI Waste Systems of North America, Inc. (September 29, 1997).
- 11 BFI Record Retention and Destruction Policy. (September 01, 1975; revised November 1, 1994).



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(Use Last Name, First Name for business names which consist of a person's first and last name (i.e., Smith, John Inc.))

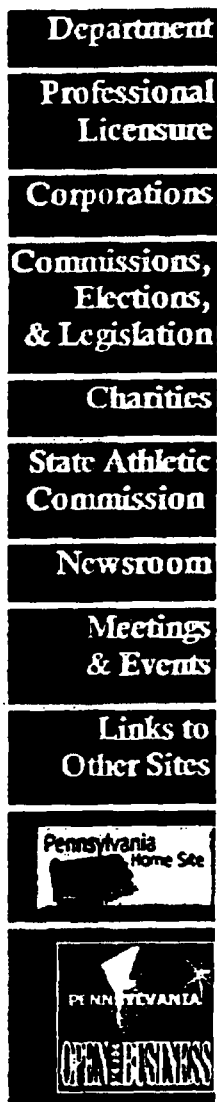
Instrument History

ENTITY NO:		1010770				
CURRENT NAME:		BFI OF PORT RICHMOND, INC.				
TYPE:	ROLL:	START:	END:	COMMENTS:	DATE:	
ARTICLES OF INCORPORATION-BUSINESS	8773	2159	2162		12-10-1987	
ARTICLES OF AMENDMENT-BUSINESS	8841	1617	1619	NCFR: AMERICAN ENVIRONMENTAL CONTROL INC	5-17-1988	
ARTICLES MERGER/CONSOLIDATION-ALL TYPES	8897	1450	1456	SRV-EFF: 12/31/88, 5:00 PM -(RES)	12-28-1988	
CHANGE OF REGISTERED OFFICE	9114	751	751		3-8-1991	
ARTICLES OF AMENDMENT-BUSINESS	9510	1115	1116	NCFR: AMERICAN WASTE-A-WAY CORP.	2-14-1995	
ARTICLES MERGER/CONSOLIDATION-ALL TYPES	9772	1078	1081	2087073 BFI WASTE SYSTEMS OF NORTH AMERICA, INC. EFF 9-30-1997	9-29-1997	

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206 North Office Building, Harrisburg, PA 17120
Phone - (717) 787-1057

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Old Name Search

Name:

Search

Search Completed for: American Waste

Entity Number	Old Name	Filed Date
197758	AMERICAN WASTE CORPORATION	11-16-1966
1010770	AMERICAN WASTE-A-WAY CORP.	2-14-1995
920354	AMERICAN WASTE MANAGEMENT SERVICES, INC.	6-7-1996
920354	AMERICAN WASTE SERVICES, INC.	2-20-1990

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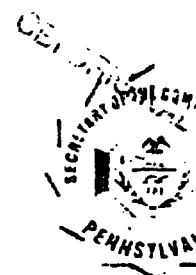
Basic Entity Information WITHDRAWN INCORPORATED BUSINESS

ENTITY NO:	1010770	TYPE:	WITHDRAWN INCORPORATED BUSINESS		CONSENT:
FILED DATE:	12-10-1987				
CURRENT NAME:	BFI OF PORT RICHMOND, INC.				
ORIGINAL NAME:	AMERICAN ENVIRONMENTAL CONTROL, INC.				
ADDRESS:	% C T CORP SYSTEM 1635 MARKET ST				
CITY:	PHILADELPHIA	STATE:	PA	ZIP:	
COUNTY:	Philadelphia	CNTRY /JURIS:	PA		
PURP/DESC/CMNT:	BROAD				
LTD AUTH:	N	LTD/INC TERM			PERPETUAL

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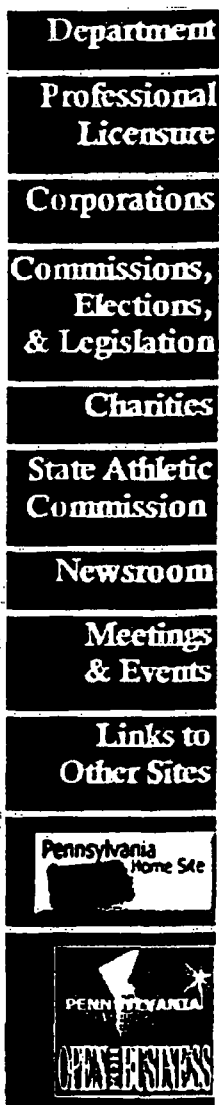
Old Names 

ENTITY NO:	1010770
CURRENT NAME:	BFI OF PORT RICHMOND, INC.
OLD NAMES:	
AMERICAN ENVIRONMENTAL CONTROL, INC.	
AMERICAN WASTE-A-WAY CORP.	

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Corporate Officers

ENTITY NO:	1010770	REPORT FILED AS OF:	7-12-1994
NAME:	BFI OF PORT RICHMOND, INC.		
CHIEF EXECUTIVE OFFICER:	M K FOREMAN		
VICE PRESIDENT:	JACK R CASAGRANDE		
TREASURER:	EDWIN JOHNSON		
MAILING ADDRESS:	2601 S BAYSHORE DR P2		
CITY:	COCONUT GROVE	STATE:	FL ZIP: 33133

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Commonwealth of Pennsylvania
Department of State

87732162



CERTIFICATE OF INCORPORATION

Office of the Secretary of the Commonwealth
To All to Whom These Presents Shall Come, Greeting:

Whereas, Under the provisions of the Laws of the Commonwealth, the Secretary of the Commonwealth is authorized and required to issue a "Certificate of Incorporation" evidencing the incorporation of an entity.

Whereas, The stipulations and conditions of the Law have been fully complied with by

AMERICAN ENVIRONMENTAL CONTROL, INC.

Therefore, Know Ye, That subject to the Constitution of this Commonwealth, and under the authority of the Laws thereof, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, declare and certify the creation, erection and incorporation of the above in deed and in law by the name chosen hereinbefore specified.

Such corporation shall have and enjoy and shall be subject to all the powers, duties, requirements, and restrictions, specified and enjoined in and by the applicable laws of this Commonwealth.



Given under my Hand and the Great Seal of the Commonwealth,
at the City of Harrisburg, this 10th day
of December in the year of our
Lord one thousand nine hundred and eighty-seven
and of the Commonwealth the two hundred twelfth

James J. Hoyt
Secretary of the Commonwealth

1010770

MARK I SLOTKIN ESQ
1234 MARKET ST 20TH FLOOR
PHILADELPHIA, PA 19107

88411619

Commonwealth of Pennsylvania



Department of State

To All to Whom These Presents Shall Come, Greeting:

Whereas, In and by Article VIII of the Business Corporation Law, approved the fifth day of May, Anno Domini one thousand nine hundred and thirty-three, P. L. 364, as amended, the Department of State is authorized and required to issue a

CERTIFICATE OF AMENDMENT

evidencing the amendment of the Articles of Incorporation of a business corporation organized under or subject to the provisions of that Law, and

Whereas, The stipulations and conditions of that Law pertaining to the amendment of Articles of Incorporation have been fully complied with by

AMERICAN ENVIRONMENTAL CONTROL, INC.
name changed to
AMERICAN WASTE-A-WAY CORP.

Therefore, Know Ye, That subject to the Constitution of this Commonwealth and under the authority of the Business Corporation Law, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, extend the rights and powers of the corporation named above, in accordance with the terms and provisions of the Articles of Amendment presented by it to the Department of State, with full power and authority to use and enjoy such rights and powers, subject to all the provisions and restrictions of the Business Corporation Law and all other applicable laws of this Commonwealth.

Given under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 17th day of May in the year of our Lord one thousand nine hundred and eighty-eight and of the Commonwealth the two hundred twenty-sixth.

A handwritten signature in cursive script, reading "James J. Blaylock".

Secretary of the Commonwealth

pjd

88971452

PLAN OF MERGER

Edward Lawrenson, Inc. and Eastern Industrial Corporation, into American Waste-a-Way Corp.

Plan of Merger dated this 22 day of December, 1988 by and among AMERICAN WASTE-A-WAY Corp. ("American Waste-a-Way"), a Pennsylvania corporation, EDWARD LAWRENSON, INC. ("Lawrenson"), a New Jersey corporation, and EASTERN INDUSTRIAL CORP. ("Eastern"), a Pennsylvania corporation.

BACKGROUND

American Waste-a-Way is the record or equitable owner of all of the outstanding shares of the capital stock of both Lawrenson and Eastern. The directors of American Waste-a-Way, Lawrenson and Eastern believe that it is in the best interest of all three corporations that Lawrenson and Eastern be merged into American Waste-a-Way.

NOW, THEREFORE, in consideration of the mutual undertakings hereinafter set forth, American Waste-a-Way, Lawrenson and Eastern agree as follows:

1. Lawrenson shall be merged into American Waste-a-Way upon the effective date of this plan of merger.
2. Eastern shall be merged into American Waste-a-Way upon the effective date of this plan of merger.
3. American Waste-a-Way shall be the surviving corporation.

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4. The directors and officers of the surviving corporation shall be as follows:

DIRECTORS:

Alfred E. Hawthorne
John Moore
Edward Lawrenson
Frank DiSantis
Patricia Lawrenson

OFFICERS:

Alfred E. Hawthorne	President
John Moore	Vice President
Edward Lawrenson	Vice President
Frank DiSantis	Treasurer/Assistant Secretary
Patricia Lawrenson	Secretary

5. The number of shares of common stock of American Waste-a-Way Corp. is and shall remain 1,000,000 shares of common stock no par value of which 1,000 shares are issued and outstanding. The authorized preferred stock of American Waste-a-Way shall be eliminated. No preferred stock of American Waste-a-Way is presently issued and outstanding.

6. The capital stock of Lawrenson shall be completely cancelled upon the effective date of the merger.

7. The capital stock of Eastern shall be completely cancelled upon the effective date of the merger.

8. Upon the effective date of this plan of merger, all of the assets of Lawrenson and of Eastern shall be deemed transferred to American Waste-a-Way. American Waste-a-Way shall be deemed to have assumed all of the obligations and liabilities of Lawrenson

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and Eastern, and the capital stock of Lawrenson and Eastern shall be cancelled, subject to the filing of the necessary articles of merger, certificate of merger, and such other documents as may be necessary in order to consummate the said merger with the Commonwealth of Pennsylvania and the State of New Jersey.

9. Articles of Incorporation of American Waste-a-Way be and they hereby are amended and restated in their entirety as follows:

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
of
AMERICAN WASTE-A-WAY CORP.

1. The name of the corporation is: AMERICAN WASTE-A-WAY CORP.

2. The location and post office address of the initial registered office of the corporation in this Commonwealth is: 924 Cedar Grove Road, Brookmill, Pennsylvania 19008.

3. The corporation is incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania for the following purpose or purposes: The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law, approved the 5th day of May A.D. 1933, P.L. 364, as amended, including but not limited to, the power to engage in the business of manufacturing, processing, research and development.

4. The term for which the corporation is to exist is: perpetual.

5. The aggregate number of shares which the corporation shall have authority to issue is: 1,000,000 shares of common stock, no par value.

6. All holders of common stock shall have preemptive rights to subscribe for any shares, common or otherwise, option rights,

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or securities having conversion or option rights with respect to such stock, issued or sold by the corporation from its treasury or otherwise for any form of consideration.

IN TESTIMONY WHEREOF, the undersigned corporations have caused this Plan of Merger to be signed by its duly authorized officer this 22 day of December, 1988.


Attest:


Patricia Lawrenson, Secretary

EDWARD LAWRENSON, INC.

BY: 
Edward Lawrenson, President

Attest:


John Moore, Secretary


EASTERN INDUSTRIAL CORP.

BY: 
Alfred E. Hawthorne,
President

Attest:


Patricia Lawrenson, Secretary

AMERICAN WASTE-A-WAY CORP.

BY: 
Alfred E. Hawthorne,
President

APP. FORM NO. 1

DSCB.BCL-903 (Rev. 7-28-62)

Filing Fee: \$20 plus \$20
for each party corporation
in excess of two
\$40.00

Articles of Merger—
Business Corporation

88971450

(Line for numbering)

1010 770

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU

Filed this DEC 28 1968 day of 19

Commonwealth of Pennsylvania
Department of State

EXP: 5 PM 12-31-68

James J. Blaylock

Secretary of the Commonwealth

(Box for Certification)

In compliance with the requirements of section 903 of the Business Corporation Law, act of May 5, 1933
(P. L. NO. 115 P. S. 91903), the undersigned corporations, desiring to effect a merger, hereby certify that:

1. The name of the corporation surviving the merger is:

American Waste-A-Way Corp.

2. (Check and complete one of the following):



The surviving corporation is a domestic corporation and the location of its registered office in
this Commonwealth is (the Department of State is hereby authorized to correct the following statement to
conform to the records of the Department):

924 Cedar Grove Road

(NUMBER)

(STREET)

Broomall

(CITY)

Pennsylvania 19008

(ZIP CODE)



The surviving corporation is a foreign corporation incorporated under the laws of

(NAME OF JURISDICTION)

and the location of its office registered with such domiciliary jurisdiction is:

(NUMBER)

(STREET)

(CITY)

(STATE)

(ZIP CODE)

3. The name and the location of the registered office of each other domestic business corporation and quali-
fied foreign business corporation which is a party to the plan of merger are as follows:

Edward Lawrenson, Inc.
(NY corp.)
Route 41
Deptford, NJ 08096

924 Cedar Grove Road
Broomall, PA 19008
(PA corp.)

Eastern Industrial Corp.
C/O CT Corp System
127 S Broad St
PHILA, PA 19109

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RECEIVED

4. (Check, and if appropriate, complete one of the following):

- ☐ The plan of merger shall be effective upon filing these Articles of Merger in the Department of State.
- ☒ The plan of merger shall be effective on 12/31/88 at 5 P.M.

88 DEC 28 AM 10:45

DEPT. OF STATE

(DATE)

(HOUR)

5. The manner in which the plan of merger was adopted by each domestic corporation is as follows:

NAME OF CORPORATION

MANNER OF ADOPTION

American Waste-a-Way Corp.

Consent in Writing of Directors and Shareholders

Eastern Industrial Corp.

Consent in Writing of Directors and Shareholders

6. (Strike out this paragraph if no foreign corporation is party to the merger.) The plan was authorized, adopted or approved, as the case may be, by the foreign corporation (or each of the foreign corporations) in accordance with the laws of the jurisdiction in which it was formed.

7. The plan of merger is set forth in Exhibit A, attached hereto and made a part hereof.

88971450

Commonwealth of Pennsylvania



Department of State

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, Under the provisions of Article IX of the Business Corporation Law (Act of May 5, 1933, P. L. 364), as amended, the Department of State is authorized and required to issue a

CERTIFICATE OF MERGER

evidencing the merger of any one or more domestic corporations and any one or more foreign corporations into one of such domestic corporations under the provisions of that law:

AND WHEREAS, The stipulations and conditions of that law relating to the merger of such corporations have been fully complied with by EDWARD LAWRENSON, INC., a New Jersey corporation, EASTERN INDUSTRIAL CORP., a Pennsylvania corporation and AMERICAN WASTE-A-WAY CORP., a Pennsylvania corporation.

IT IS, THEREFORE, CERTIFIED, That from the Articles of Merger filed with the Department of State, it appears that EDWARD LAWRENSON, INC., a New Jersey corporation and EASTERN INDUSTRIAL CORP., a Pennsylvania corporation have been merged into and with AMERICAN WASTE-A-WAY CORP., a Pennsylvania corporation.

THEREFORE, KNOW YE, That subject to the Constitution of this Commonwealth, and under authority of the Business Corporation Law, I DO BY THESE PRESENTS, which I have caused to be sealed with the Great Seal of the Commonwealth, hereby declare that the Pennsylvania corporation shall be the surviving corporation, under the name, style, and title of

AMERICAN WASTE-A-WAY CORP.

whose Articles are therein restated in their entirety, and henceforth shall not include any prior documents and which shall continue to be invested with and have and enjoy all the powers, privileges and franchises incident to a domestic business corporation, and be subject to all the duties, requirements and restrictions specified and enjoined in and by the Business Corporation Law and all other applicable laws of this Commonwealth.

GIVEN under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 28th day of December in the year of our Lord one thousand nine hundred and eighty-eight and of the Commonwealth the one hundred and thirteenth.

Effective: December 31, 1988 - 5:00 P.M.

James J. Blaylock
Secretary of the Commonwealth

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Delaware Secretary of State Gateway



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[Source Info](#)

Detail Information

Date/Time of Results: 12-11-2003 at 11:48

File Number: 2046000

Name Type: Delaware Company

Stock Co Flag: Stock Company

Name: ATTWOODS OF NORTH AMERICA, INC.

Kind: Corporation General

Status: Good Standing as of 10-11-1984

Tax Type: A/R Filing Required

Residency: Domestic

State of Incorpor: DE

Country: US

Original Country:

Incorp/Qualify Date: 10-11-1984

Foreign Incorporation Date:

Proclamation Date:

Renewal Date:

Expiration Date:

Bankruptcy Status:

Bankruptcy Date:

State:

Case Number:

Merged To:

State:

Federal ID: 980066273

Quarterly Filing?:

Last Annual Report: 2002

Registered Agent: 9000010

Registered Agent County: New Castle

THE CORPORATION TRUST COMPANY

CORPORATION TRUST CENTER

1209 ORANGE STREET

WILMINGTON, DE19801

Phone: 302-658-7581

Fax: 302-655-5049

Stock Information:					
Amendment Number: 001 Effective Date: 08-16-1993 Effective Time: 10:00					
Stock Seq Number	Description	Series	Class	Authorized	Par Value
1	COMMON				1.000000

Filing History:											
Seq Number	Filing Year	Doc Code	Doc Code Desc	Doc Pages	Dom Pages	Doc Filing Date	Doc Filing Time	Doc Effective Date	Doc Filing Status	Co Prev Name	Merger Type
1	1997	0250S	Merger; Survivor	3		09-29-1997	10:02	09-29-1997			OWNERSHIP
2	1993	0240S	Amendment; Stock	1		08-16-1993	10:00	08-16-1993			
3	1992	0250S	Merger; Survivor	2		07-07-1992	09:00	07-07-1992			OWNERSHIP
4	1991	0240	Amendment; Domestic	1		09-04-1991	09:00	09-04-1991		STOCKLEY ROAD INC.	
5	1984	0102S	Incorp Delaware Stock Co.	2		10-11-1984	10:00	10-11-1984			

Tax Info:	
As Of Date: 12-11-2003 Tax Balance: .00	

Tax Year	Total Filing	Total Taxes	Total Penalty	Total Interest	Total Other	Total Paid	Total Balance
2003	.00	35.00	.00	.00	.00	.00	35.00
2002	20.00	30.00	.00	.00	.00	50.00	.00
2001	20.00	30.00	.00	.00	.00	50.00	.00

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[Source Info](#)

Detail Information

Date/Time of Results: 12-11-2003 at 11:49

File Number: 2041703

Name: ATTWOODS INC.

Kind: Corporation General

Residency: Domestic

Original Country:

Proclamation Date:

Bankruptcy Status:

Case Number:

Federal ID:

Registered Agent: 9000010
THE CORPORATION TRUST COMPANY
CORPORATION TRUST CENTER
1209 ORANGE STREET
WILMINGTON, DE19801

Name Type: Inactive Delaware Co.

Status: Merged as of 09-29-1997

State of Incorporation: DE

Incorp/Qualify Date: 08-09-1984

Renewal Date:

Bankruptcy Date:

Merged To:

Quarterly Filing?:

Registered Agent County: New Castle

Phone: 302-658-7581

Fax: 302-655-5049

Stock Co Flag: Stock Company

Tax Type: A/R Filing Required

Country: US

Foreign Incorporation Date:

Expiration Date:

State:

State: DE

Last Annual Report: 1996

Stock Information:					
Amendment Number: 001 Effective Date: 03-04-1985 Effective Time: 10:00					
Stock Seq Number	Description	Series	Class	Authorized	Par Value
1	COMMON				1.000000

Filing History:											
Seq Number	Filing Year	Doc Code	Doc Code Desc	Doc Pages	Dom Pages	Doc Filing Date	Doc Filing Time	Doc Effective Date	Doc Filing Status	Co Prev Name	Merger Type
1	1997	0250N	Merger; Non-Survivor	3		09-29-1997	10:02	09-29-1997			OWNERSHIP
2	1997	0250S	Merger; Survivor	2		09-29-1997	10:01	09-29-1997			OWNERSHIP
3	1997	0250S	Merger; Survivor	2		09-29-1997	10:00	09-29-1997			OWNERSHIP
4	1987	0240	Amendment; Domestic	1		01-08-1987	10:00	01-08-1987		ATTWOODS ENVIRONMENTAL INC.	
5	1985	0240S	Amendment; Stock	1		03-04-1985	10:00	03-04-1985			

Tax Info:							
As Of Date: 12-11-2003Tax Balance: .00							
Tax Year	Total Filing	Total Taxes	Total Penalty	Total Interest	Total Other	Total Paid	Total Balance
1997	.00	30.00	.00	.00	.00	30.00	.00
1996	20.00	30.00	.00	.00	.00	50.00	.00
1995	20.00	30.00	.00	.00	.00	50.00	.00

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[Source Info](#)

Detail Information

Date/Time of Results: 12-11-2003 at 11:18

File Number: 2263847

Name Type: Delaware Company

Stock Co Flag: Stock Company

Name: BFI WASTE SYSTEMS OF NORTH AMERICA, INC.

Kind: Corporation General

Status: Good Standing as of 05-23-1991

Tax Type: A/R Filing Required

Residency: Domestic

State of Incorporation: DE

Country: US

Original Country:

Incorp/Qualify Date: 05-23-1991

Foreign Incorporation Date:

Proclamation Date:

Renewal Date:

Expiration Date:

Bankruptcy Status:

Bankruptcy Date:

State:

Case Number:

Merged To:

State:

Federal ID: 411696636

Quarterly Filing?:

Last Annual Report: 2002

Registered Agent: 9000010
THE CORPORATION TRUST COMPANY
CORPORATION TRUST CENTER
1209 ORANGE STREET
WILMINGTON, DE19801

Registered Agent County: New Castle

Phone: 302-658-7581

Fax: 302-655-5049

Stock Information:					
Amendment Number: 000 Effective Date: 05-23-1991 Effective Time: 10:00					
Stock Seq Number	Description	Series	Class	Authorized	Par Value
1	COMMON				1.000000

Filing History:											
Seq Number	Filing Year	Doc Code	Doc Code Desc	Doc Pages	Dom Pages	Doc Filing Date	Doc Filing Time	Doc Effective Date	Doc Filing Status	Co Prev Name	Merger Type
1	2001	0250S	Merger; Survivor	2		01-17-2001	16:30	01-17-2001			MERGER
2	2000	0250S	Merger; Survivor	2		12-28-2000	12:45	12-28-2000			MERGER
3	2000	0103A	Correction, Merger	2		08-03-2000	14:30	08-03-2000			
4	1999	0250S	Merger; Survivor	2		02-18-1999	13:45	02-18-1999			OWNERSHIP
5	1998	0250S	Merger; Survivor	2		12-30-1998	14:00	12-31-1998			OWNERSHIP

Tax Info:							
As Of Date: 12-11-2003 Tax Balance: .00							
Tax Year	Total Filing	Total Taxes	Total Penalty	Total Interest	Total Other	Total Paid	Total Balance

2003	.00	35.00	.00	.00	.00	.00	35.00
2002	20.00	30.00	.00	.00	.00	50.00	.00
2001	20.00	30.00	.00	.00	.00	50.00	.00

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Microfilm Number _____

Filed with the Department of State on DEC 14 1987

Entity Number 1010770

SECRETARY Secretary of the Commonwealth

ARTICLES OF AMENDMENT-DOMESTIC BUSINESS CORPORATION
DSCB:15-1915 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 1915 (relating to articles of amendment), the undersigned business corporation, desiring to amend its Articles, hereby states that:

1. The name of the corporation is: American Waste-A-Way Corp.

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a)	Number and Street	City	State	Zip	County
(b) c/o:	CT Corporation System				Philadelphia
	Name of Commercial Registered Office Provider				County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The statute by or under which it was incorporated is: Pennsylvania

4. The date of its incorporation is: 12/10/87

5. (Check, and if appropriate complete, one of the following):

X The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

____ The amendment shall be effective on _____ at _____
Date Hour

6. (Check one of the following):

____ The amendment was adopted by the shareholders (or members) pursuant to 15 Pa.C.S. § 1914(a) and (b).

X The amendment was adopted by the board of directors pursuant to 15 Pa.C.S. § 1914(c). (and sole shareholder)

7. (Check, and if appropriate complete, one of the following):

X The amendment adopted by the corporation, set forth in full, is as follows:

I. The name of the corporation is: BFI OF PORT RICHMOND, INC.

DSCB:15-1915 (Rev 90)-2

___ The amendment adopted by the corporation as set forth in full in Exhibit A attached hereto and made a part hereof.

3. ___ The restated Articles of Incorporation supersede the original Articles and all amendments thereto.
(Article I of the Articles of Incorporation)

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this 9th day of February, 19 93.

AMERICAN WASTE-A-WAY CORP.

(Name of Corporation)

BY: Gerald K. Burger

(Signature)

TITLE: Gerald K. Burger, Vice President

Microfilm Number _____

Filed with the Department of State on SEP 28 1997

Entity Number 203 7013

[Signature]
Secretary of the Commonwealth

ARTICLES OF MERGER-DOMESTIC BUSINESS CORPORATION
DSCB:15-1926 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 1926 (relating to articles of merger or consolidation), the undersigned business corporations, desiring to effect a merger, hereby state that:

1. The name of the corporation surviving the merger is: BFI Waste Systems of North America, Inc.

2. (Check and complete one of the following):

 The surviving corporation is a domestic business corporation and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) _____
Number and Street City State Zip County

(b) c/o: _____
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

XX The surviving corporation is a qualified foreign business corporation incorporated under the laws of Delaware and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) _____
Number and Street City State Zip County

(b) c/o: CT Corporation System DELAWARE
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

 The surviving corporation is a nonqualified foreign business corporation incorporated under the laws of _____

Number and Street City State Zip County

(PA. - 1427) SEP 29 PM 12:50

PA DEPT. OF STATE

DSCB:15-1915 (Rev 90).2

3. The name and the address of the registered office in this Commonwealth or name of its commercial registered office provider and the county of venue of each other domestic business corporation and qualified foreign business corporation which is a party to the plan of merger are as follows:

Name of Corporation	Address of Registered Office or Name of Commercial Registered Office Provider	County
Attwoods Environmental		
of Pennsylvania, Inc.	CT Corporation System	Union

BFI of Port Richmond, Inc. CT Corporation System Union

4. (Check, and if appropriate complete, one of the following):

 The plan of merger shall be effective upon filing these Articles of Merger in the Department of State.

XX The plan of merger shall be effective on 9/30/97 at 6:00am Hour

5. The manner in which the plan of merger was adopted by each domestic corporation is as follows:

Name of corporation	Manner of adoption
Attwoods Environmental of Pennsylvania, Inc.	Written Consent of Sole Director *

BFI of Port Richmond, Inc. Written Consent of Sole Director *

*Also written consent of the sole shareholder, BFI Waste Systems of North America, Inc

6. (Strike out this paragraph if no foreign corporation is a party to the merger). The plan was authorized, adopted or approved, as the case may be, by the foreign business corporation (or each of the foreign corporations) party to the plan in accordance with the laws of the jurisdiction in which it is incorporated.

7. (Check, and if appropriate complete, one of the following):

XX The plan of merger is set forth in full in Exhibit A attached hereto and made a part hereof.

 Pursuant to 15 Pa.C.S. § 1901 (relating to omission of certain provisions from filed plans) the provisions, if any, of the plan of merger that amend or constitute the operative Articles of Incorporation of the surviving corporation as in effect subsequent to the effective date of the plan are set forth in full in Exhibit A attached hereto and made a part hereof. The full text of the plan of merger is on file at the principal place of business of the surviving corporation, the address of which is:

Number and Street	City	State	Zip
-------------------	------	-------	-----

IN TESTIMONY WHEREOF, the undersigned corporation or each undersigned corporation has caused their Articles of Merger to be signed by a duly authorized officer thereof this 24th day of September, 1997

BFI WASTE SYSTEMS OF NORTH AMERICA, INC.

(Name of Corporation)

BY: [Signature]

(Signature)

TITLE: Vice President

ATTWOODS ENVIRONMENTAL OF PENNSYLVANIA, INC.

(Name of Corporation)

BY: [Signature]

(Signature)

TITLE: Vice President

BFI OF PORT RICHMOND, INC.

(Name of Corporation)

BY: [Signature]

(Signature)

TITLE: Vice President

EXHIBIT "A"

PLAN OF MERGER

- A. The name of the merged corporations are:
- Attwoods Environmental of Pennsylvania, Inc., a Pennsylvania corporation
BFI of Port Richmond, Inc., a Pennsylvania corporation
- B. The name of the surviving corporation is:
- BFI Waste Systems of North America, Inc., a Delaware corporation.
- C. BFI Waste Systems of North America, Inc. shall be the surviving corporation and does hereby merge with and into itself, Attwoods Environmental of Pennsylvania, Inc. and BFI of Port Richmond, Inc. (hereinafter collectively referred to as the "Merged Corporation"). The Articles of Incorporation and By-Laws of BFI Waste Systems of North America, Inc. shall be the Articles of Incorporation and By-Laws of the Surviving Corporation.
- D. On the effective date of the merger, each share of the issued and outstanding stock of the Merged Corporation shall forthwith be canceled and no shares of the Surviving Corporation will be issued in exchange therefor. All of the property, rights, privileges, leases and patents of the Merged Corporation are to be transferred to and become the property of the Surviving Corporation. The officers and sole director of each of the Merged and Surviving Corporations are authorized to execute all deeds, assignments and documents of every nature which may be needed to effectuate a full and complete transfer of ownership.
- E. The effective date of the merger for tax and accounting purposes shall be September 30, 1997.

State of Delaware
Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"ATTWOODS ENVIRONMENTAL INC.", A DELAWARE CORPORATION,
WITH AND INTO "BFI WASTE SYSTEMS OF NORTH AMERICA, INC."
UNDER THE NAME OF "BFI WASTE SYSTEMS OF NORTH AMERICA, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, WAS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF SEPTEMBER, A.D. 1997, AT 10:03 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION SHALL BE GOVERNED BY THE LAWS OF THE STATE OF DELAWARE.




Edward J. Freel, Secretary of State

2263847 8330

981111035

AUTHENTICATION:

8987266

DATE:

03-23-98

STATEMENT OF ADDRESS
FOR RECEIPT OF SERVICE OF PROCESS

AGAINST

Attwoods Environmental, Inc.

MRG
FILED

MAR 27 1998

LONNA R. HOOKS
Secretary of State

To: The Secretary of State

State of New Jersey:

Pursuant to the provisions of Section 14A:13-9(1), Corporations,
General, of the New Jersey Statutes, the undersigned corporation hereby designates
the following post-office address, including zip code, to which the Secretary of State
may mail a copy of any process against the undersigned corporation that may be
served on him.

757 N. Eldridge, Houston, Texas 77079

Dated:

3/20/98

Attwoods Environmental, Inc.


By

[Signature]
Eileen B. Schuler, Vice President

(NJ - 2046 - 3/20/85)
or before

S-395338
J. 74 8465

0100395764

	DATE 09/01/75	Record Retention and Destruction	SECTION 011
	REV: 11/01/94		PAGE 1 OF 20

It is the policy of the Company to retain all records for at least the minimum period as stated in applicable municipal, state and federal laws or regulations. All records which may substantially affect the obligations of the Company are to be retained for a period of time which will reasonably assure the availability of those records when needed. All records shall be clearly identified, properly stored and appropriately safeguarded. Each district office, regional office and corporate department shall establish and maintain an organized, labeled and secure filing system for all Company records. Destruction of records shall take place pursuant to a standard policy, and the confidentiality of records should be safeguarded during the destruction process. Depending on the degree of confidentiality, shredding of certain records may be required. A record of all documents that are being maintained and that have been destroyed should be maintained by each district office, regional office and corporate department.

The destruction procedure shall have a mechanism which will assure that it can be stopped to prevent the destruction of any records immediately upon being notified that the records relate to pending or threatened litigation. Please refer to Appendix "D" for the procedures applicable to suspension of destruction of documents in such circumstances.

Vital records are to be identified and appropriately safeguarded. In addition to originals, copies and duplicates of any and all tangible matter written, printed, typed, reproduced, recorded, microfilmed and graphic material, records maintained on magnetic tape or other electronic storage media are also to be covered by the record retention policy.

Unless otherwise required by law, it is the Company's policy to retain an executed original copy of all material documents in the Corporate Library in Houston in a permanent security file. It is our further policy that all such types of agreements be executed in triplicate originals, with one original copy to the other contracting party, one for the local office, and one to be sent to the Corporate Library. In the event that there is only one executed original document, the original should be sent to the Corporate Library, with a copy being retained by the district or regional office. While it would be difficult to list with particularity all the types of contracts and documents which are to be sent to the Corporate Library, the originals of the following specific types of contracts or documents should be sent immediately to the Corporate Library:

- (1) Operating permit or authority, if any, to engage in the waste business. This would not include an operating permit for each individual truck or a city license. This would include municipal contracts, including bids or bid specifications if they are incorporated by reference in the contract. Since the original of most permits are required to be kept at the facility, copies of all permits issued by federal, state or local environmental protection agencies, including air, water or land disposal permits should be sent to the Corporate Library.
- (2) Union contracts.
- (3) Leases of real property and long-term leases of personal property such as trucks or other heavy equipment.

The information in this manual is the property of Browning-Ferris Industries, Inc., Houston, Texas, and is to be used only in connection with the conduct of the business of BFI and/or its subsidiary companies. No part of the information is to be copied or transferred to any other person. The information contained herein is proprietary and confidential information directly relating to the profitability and success of BFI and its subsidiary companies.



DATE 09/01/75

REV: 11/01/94

Record Retention and Destruction

SECTION 011

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- (4) Deeds to real estate, including title policies, environmental evaluations, abstracts of title and other purchase documents in connection with the acquisition or ownership of land.
- (5) Sale, lease, distributorship or other type of marketing arrangements for major or specialized equipment.
- (6) Secrecy Agreements with customers or vendors.
- (7) Employment or Consulting Agreements.

It is the Company's policy that there shall be one designated person at each district, at each regional office and in each corporate department that shall be responsible for document retention and destruction. The Manager of the Corporate Library has been designated as the Corporate Record Retention and Destruction Coordinator, the Regional Controllers have been designated as the Regional Record Retention and Destruction Coordinators, the District Accounting Managers have been designated as the District Record Retention and Destruction Coordinators and each Corporate Department Head will designate a Department Record Retention and Destruction Coordinator for their department. The responsibilities of these coordinators are as follows:

Corporate Record Retention and
Destruction Coordinator - Manager of the Corporate Library

- (1) Maintains material documents in the Corporate Library and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Establishes and maintains a Record Retention and Destruction Schedule in accordance with legal and tax requirements.
- (3) Obtains by December 31st of each calendar year annual certificates from the Regional and Department Record Retention and Destruction Coordinators verifying that each location or corporate department of the Company is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Issues notifications of revised retention periods for documents required for legal proceedings, audits or investigations.
- (5) To safeguard the confidentiality of records during the destruction process, provides guidance to Company personnel regarding the proper methods of destruction of records.
- (6) When requested, provides guidance to Company personnel on filing and microfilming procedures. While most original documents may be destroyed after they have been microfilmed, certain original documents may need to be maintained. The Corporate Record

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DATE 09/01/75

REV: 11/01/94

Record Retention and Destruction

SECTION 011

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Retention and Destruction Coordinator should be consulted prior to the implementation of a microfilming program.

Regional Record Retention and Destruction Coordinators -
Regional Controllers

- (1) Maintains the regional office's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that are being stored and the documents that have been destroyed (including destruction dates).
- (2) If considered necessary, the Regional Record Retention and Destruction Coordinator may issue regional record retention and destruction guidance and schedules to supplement this policy. Such regional policies may list additional records or instructions but must not contradict any instructions or retention periods stated in this policy. Drafts of any proposed regional record retention and destruction guidance policies should be sent to the Corporate Record Retention and Destruction Coordinator for review and approval before they are issued.
- (3) Forwards the regional office's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.
- (4) Obtains by December 15th of each calendar year annual certificates from each District Record Retention and Destruction Coordinator verifying that each district within the region is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (5) Submits by December 31st of each calendar year a certificate (See Appendix "B") to the Corporate Record Retention and Destruction Coordinator verifying that the region is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (6) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.

District Record Retention and Destruction Coordinators -
District Accounting Managers

- (1) Maintains the district's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Forwards the district's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.

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DATE 09/01/75

REV: 11/01/94

Record Retention and Destruction

SECTION 011

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- (3) Submits by December 15th of each calendar year a certificate (See Appendix "C") to the Regional Record Retention and Destruction Coordinator verifying that the district is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.

Department Record Retention and Destruction Coordinators -
Designated by Department Head

- (1) Maintains the corporate department's records and directs the orderly destruction of those records pursuant to the Record Retention and Destruction Schedule. Maintains a listing of the documents that have been stored and the documents that have been destroyed (including destruction dates).
- (2) Forwards the corporate department's original, material documents to the Corporate Library, ensuring that copies of all originals are retained for their records.
- (3) Submits by December 15th of each calendar year a certificate (See Appendix "C") to the Corporate Record Retention and Destruction Coordinator verifying that the corporate department is maintaining and has destroyed their records in accordance with the Company's Record Retention and Destruction Schedule.
- (4) Assists Corporate Legal Department personnel or outside counsel for the Company with document production requests.


RECORD RETENTION AND DESTRUCTION SCHEDULE

A record retention and destruction schedule for documents of a more general nature begins below. Document retention and destruction schedules for more specific documents, such as those produced by the Financial and Commercial Management Systems, are published in the manuals for those systems. Retention Period in the schedule that follows means the number of years a record needs to be maintained after it becomes inactive. An asterisk (*) in the Retention Period column indicates that all such records for years beginning after September 30, 1985 must be retained. As Internal Revenue Service audits are completed, this date will be updated. A "P" in the Retention Period column indicates that the record must be permanently maintained. You may be requested by the Corporate Record Retention and Destruction Coordinator or Company attorneys to keep certain records that relate to pending or threatened litigation. In those cases, the Retention Period expressed in this Record Retention and Destruction Schedule is to be automatically extended beyond the indicated Retention Period, and the specific records should be maintained until you are notified that they may be destroyed. If you have previously been requested to keep certain records, do not destroy those records until you have verified with the Corporate Record Retention and Destruction Coordinator that the records may be destroyed. If a specific contract requires certain records to be maintained that relate to either that

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job or that company, the records need to be maintained for that period of time in the event that the period specified in the contract is in excess of the policy retention period for those documents. If certain records have been kept for the Retention Period, a specific contract does not require a longer Retention Period and a notification has not been received that requires a longer Retention Period, the records should be destroyed as soon as possible after the end of the indicated Retention Period. If you have any questions regarding whether or not certain records should be kept, or if you are aware of any regulations that may require a longer period of retention for any documents, please contact the Corporate Record Retention and Destruction Coordinator.

<u>NAME OF RECORD</u>	<u>RETENTION PERIOD</u>
✓ Accounts Payable	
History File	•
Invoices-Fixed Assets	•
Invoices - Other than Fixed Assets	•
Check Registers	•
Check Vouchers	•
Ledgers	•
Vendor Master	until superseded
Accounts Receivable	
Transactions	1 month
Invoices	•
Ledgers	•
Residential Payment Stub	6 months
Accounts Uncollectible	
Listings	•
Correspondence	2
Acquisitions (Completed)	
Accounting Workpapers	P
Closing Documents	P
Agreements and Contracts	10
Aircraft	
Maintenance Records	transferred at time of sale
Operating Records	•
Amortization Records - Property	P
Annual Reports - Financial	P
Articles of Incorporation	P
Audit Reports	
Environmental Audit	1 year after completion of action plan
Internal Audit Reports	4
Safety and Claims	2

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NAME OF RECORD	RETENTION PERIOD
Autoclave Operations	5
Time/Temperature graphs	
Volume/Weight processing reports	
Inspection/Maintenance checklists	
Manifest (shipping paper) records	
Bacteriological monitoring records:	
Air quality testing.	
Boiler water testing.	
pH of liquid of scrubber systems.	
Bank Records	
Deposits	3 months
Reconciliations	.
Statements	.
Wire Transfers	.
Bids	
Accepted Contracts	10
Rejected Contracts	6 months
Requests for (Purchasing)	2
Blueprints	
Facility Other Than Hazardous	until
Waste Facility	superseded
	P
Board Meetings	
Minutes	P
Notebook (1 copy)	P
Bonds	
Indemnity, Performance and	10
Surety	
Self-Insurance	P
Budget Files	3
By-Laws	P
Calendars/daytimers	no longer
	than 1 year
	.
Cash Receipts	.
Checks, Cancelled	
Claims	
With legal action	10
No legal action	6
Workmen's Compensation	P
Closure Plans	P
Compliance Orders	10

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<u>NAME OF RECORD</u>	<u>RETENTION PERIOD</u>
Contingency Plans	until superseded
Contracts and Agreements	10
Copyrights	P
Correspondence	same retention period as record that it supports
Chronological and/or Reading File	2
Credit Applications	5
Authorizations	5
Department of Transportation Inspections	10
Discontinuation Reports	maintain current year annual report - 10 years
Disputes (see claims)	
Dividend Records	P
Dividend Register	P
Driver Records	
Brake Inspection Qualifications	end of employment + 1 year
Daily Log	4
Dispatch Logs	1
Driver Qualification Files	end of employment + 3 years
Annual Updates	3
Medical Examiner Certificate	until superseded
Controlled Substance Tests	
(NIDA) negative results	1
positive results	5
Productivity Sheets	4
Record of Duty Status, Hours of Service (395)	6 months
Route Sheets	4
Service Ticket	1
Easements	P
Engineering	
Drawings and Tracings	P
Patents	P
Plans - Landfill Sites	P
Projects, Abandoned	5
Projects, Completed	P

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NAME OF RECORD	RETENTION PERIOD
Reports, Final Drafts	P
Progress	5
Standards	P
Expense Reports (including supporting documentation)	•
General Ledgers	P
General Ledger Account Analysis	•
Financial Reports - Annual	10
Monthly	5
Fiscal Year-End Reports 81, 79	10
(All financial reports will be maintained by the Corporate External Reporting Department.)	
Fixed Assets	
Detail	* plus 3 years after end of year in which asset is sold
Fiscal Year-End Master File	P
Fiscal Year-End Reports	10
Forms	until superseded
Formulas	P
Franchises	P
Handbooks, Employee	P
Hazardous Waste Facility Operating Record (See Appendix "A")	
Historical Company Data	P
I.R.S. Rulings	P
Industrial Hygiene	
I.H. Survey & Monitoring Results	end of employment + 30 years
Chemical Inventory	end of employment + 30 years
Material Safety Data Sheets	product use + 30 years
OSHA Citations (Internal)	P
DOT Citations (Internal)	P
Insurance	
Certificates of Insurance	until superseded
Policies	P
Records other than Workmen's Compensation	6
Workmen's Compensation	10

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NAME OF RECORD	RETENTION PERIOD
Intercompany transactions with supporting documents	•
Internal Publications	P
Inventory	•
Listing	•
Plant and Fixture	P
Property	P
Supplies	2
Investment Tax Credit Computations	•
Journal Entries - Financial	•
Justice Department Negotiations	10
Labor Unions	
Contracts and Supporting Papers	10
Disputes	10
Landfills	
Accrued Landfill Repairs Report	P
Company Trend Analysis	P
Daily Operations Diary	3
District Manager's Monthly Inspection	until superseded
District Manager's Quarterly Report	1
Geological Reports	P
Geological Surveys	P
Groundwater/Surface Water Reports	P
Groundwater Monitoring Well	
Construction Details	
Well Drilling Permits	P
Well Abandonment Permits and Certificates	P
Map of Hole Locations	P
Hazardous Waste Landfill (See Hazardous Waste Facility Operating Record Appendix "A")	
Hourly Waste Flow Records	until superseded
Landfill P&L Statement	P
Landfill Transactions Report	P
Landfill Revenue Control Forms	
Forms Other Than Quarterly Checklist	1

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NAME OF RECORD	RETENTION PERIOD
Quarterly Checklist	3
Landfill Revenue & Disposal Acct. Analysis	P
Manifests	
For Wastes Generated by Company	3
For Incoming Special Waste at Non-hazardous Waste Facilities	P
For Wastes Transported by the Company	3
Methane Monitoring Reports	P
Operating Record	P
Closure/Post Closure Plans	
Corrective Action Documentation	
Financial Assurance Documentation	
Gas Monitoring Results	
Groundwater Monitoring	
Hazardous Waste Inspection Records	
Leachate/Condensate Recirculation Demonstrations	
Location Restriction Demonstrations	
Other Records that may be required by the Permit, State or Local authorities.	
Trip Tickets	5
Waste Characterization Data	P
Leases	10
Letters of Credit	10
Litigation	10
Manuals (1 copy)	P
Maps (Engineering, Property)	P
Market Research	10
This retention is for final reports and significant supporting papers. All others should be discarded when project is completed.	
Market Development Workpapers	•
Medical Waste Incinerator Operations	5
Time/Temperature graphs.	
Volume/Weight processing reports.	
Inspection/Maintenance checklists.	
Manifest (shipping paper) records.	

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Equipment testing results:	
Air quality testing	
Ash (T.C.L.P.) testing	
Boiler water testing	
pH of liquid of scrubber systems	
Memoranda, General	2
Minutes of Meetings (other than Board Committees or Senior Management Meetings)	No longer than 6 months
Monitoring Reports	P
News Releases	P
Notes	
Meeting notes not required by law	1
Sales and Marketing	3 months
OSHA	
Evidence of Correction	10
Inspections	10
200 Log	5
200's Annual Survey	5
OSHA 101 Supplementary Record of Occupational Injuries and Illness or First Report of Injury	5
Employment Hearing Test Results	end of employment + 5 years
Hearing Conservation Management Reports	3
Opinions, Legal	P
Organizational Charts (1 copy)	P
Partnerships	10
Patents	P
Payroll Records	
Deductions	•
Earnings Records	P
Garnishments	10
Master File (ADP)	1
Management Summaries (ADP)	1
Quarterly Wage and Tax Reports (ADP)	•
Rate/Bonus Authorizations	5
Register	10
Relocation	5
Sick Benefits	10
Time Cards	•
Worksheets	1
Permit Applications	P

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<u>NAME OF RECORD</u>	<u>RETENTION PERIOD</u>
Permits - Facility	P
Personnel	
Affirmative Action Claims	6
Applications, Rejected	2
Attendance Records	5
Benefit Plans	P
Contracts	10
Discrimination Claims	10
Education and Training	end of employment plus 5 years
Employee Records Folder:	end of employment plus 5 years
Application	
Evaluations	
Memos	
Personnel Action Notice (PAN)	
W-4	
Incentive Plans	5
Job Descriptions	P
Medical Information/Health Records	
Audiometric Test Results	end of employment + 5 years
Individual Case studies	
Employee Hearing Test Reports	end of employment + 5 years
Noise Exposure Measurement Records	2 years
Chest X-Ray Original Film	employment + 30 years
Chemical Exposure Record	employment + 30 years
Drug Screen Results	5 years
Drug Program Reports	5 years
COC or MRO Drug Screen Result forms	5 years
Computerized Medical data in HRS	P
Microfilmed Medical Surveillance Records	
Physical Examinations, including medical history & assessment, medical test results on:	end of employment + 30 years
Preplacement Physicals	
Periodic Physicals	
O.O.T. Physicals	
Medical Compliance Reports	current year
Petty Cash	5
Plant Design and Equipment	P
Plant Performance Reports	10
Policies, Corporate	P

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Price Lists	until superseded
Price Quotations	
Purchasing	3
Sales	5
Promissory Notes	10
Property	
Abstracts	P
Appraisals	P
Bids and Estimates	10
Deeds	P
Easements	P
Leases	
Real Property	10
Personal Property	5
Mortgages	5
Options	10
Purchase Agreements	10
Titles	P
Water Rights	P
Proxy Records	
Signed Cards	5
Registers	5
Purchase Orders	
General	2
Capital Expenditures	10
Representation Letters (See Section 115)	P
Record Retention Certificates	P
Safety	
Safety Awards (internal)	P
Loss Exhibits (internal)	current + 1 year
OSHA 200 Logs (RKS)	current + 5 years
Quarterly Safety Statistics	1 year (internal)
Safety or Injury Frequency Reports	3 years
Workshop/Employee Meeting Records (internal)	P
Sales	
Call Reports	6 months
Regional Sales Summary	2
Securities	
Agreements with Trustees of Security Issue	P

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NAME OF RECORD	RETENTION PERIOD
Applications, Listing	P
Bank Notes	5
Registration Statements	P
Securities Exchange Commission	P
Reports and Regulations	
Stockholders, Lists of	P
Stocks, Capital	
Applications for Issuance	P
Certificates Cancelled	6
Sales or Transfers	6
Stock Option Records	P
Surveys	
Market Data	10
Property	P
Taxes	
Federal Excise and Use	.
Forms W-2	.
Forms W-4 and 1099	.
Income, Federal	P
Income, State	P
Motor Fuel	10
Property	25
State Sales and Use	5
Social Security	P
Telephone Call Reports	no longer than 6 months
Trademarks	P
Training Programs, Manuals and Updates	P
Training Workshop Personnel Files	end of employment plus 5 years until superseded
Training Workshop Attendee Records	
Underground Storage Tank Records	
Closure Records	P
Corrective Action Reports	P
Ownership Notification	P
Release Reports	P
Vehicles	
Annual Vehicle Inspection (396)	18 months
Repair Reports	

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<u>NAME OF RECORD</u>	<u>RETENTION PERIOD</u>
Repair Orders	4 years
Condition Reports	3 months after generation of report
Working Papers/Supporting Documentation	
Accounting	•
Engineering	5
Landfill Compaction Workpapers and Fly over	•
Environmental Audit	until final
General	same retention period as record that it supports
Insurance	4
Internal Audit	3
Legal	10
Securities and Exchange Commission Reports	P
Taxes	20

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APPENDIX "A" HAZARDOUS WASTE FACILITY OPERATING RECORD

The required elements of an operating record for hazardous waste facilities shall include items noted below and everything required under Part 241.212 (Records), Subpart E, Manifest System, Recordkeeping and Reporting of Part 264 (Standards) or specified by the facility permit. The Operating Record will consist of any of the following applicable records:

1. Customer and subcontractor agreements,
2. Certificates of disposal of BFI/CECOS generated waste oils/solvents,
3. Type and quantity of chemical wastes (as defined by Section 261, "Special Waste Approval Procedures") received or shipped, dates of receipt and/or shipment and methods of management,
4. Facility laboratory notebooks,
5. Location and quantity of wastes within the facility (grid map for landfills) cross-referenced to manifest numbers,
6. Summary reports of all incidents requiring implementation of the facility contingency plan,
7. All internal and agency site inspection reports,
8. All applicable site monitoring data, such as:
 - Groundwater Monitoring Data,
 - NPDES Discharge Data,
 - Data on any Discharge To a Waste Water Treatment Plant,
 - Leachate Generation and Analyses,
 - Methane Monitoring,
 - Ambient Air Monitoring,
 - Metrological Information, and
 - Industrial Hygiene Monitoring,
9. Current closure and post-closure cost estimates,
10. Copies of all applicable permits,
11. All correspondence to or from a regulatory agency, and
12. Copies of the following plans: Waste Analysis, Facility Inspection, Preparedness and Prevention, Contingency, Groundwater Monitoring, Closure and Post-Closure. (NOTE: hazardous waste facilities must maintain current copies and all previous versions of these plans).

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APPENDIX "B"


REGIONAL CERTIFICATE
RECORD RETENTION AND DESTRUCTION

I am the Regional Record Retention and Destruction Coordinator for the _____ Region (the "Region") of Browning-Ferris Industries, Inc., and in such capacity, I have custody of the Region's records. In accordance with BFI Corporate Policy #011 of the Policy and Procedures Manual (the "Record Retention and Destruction Policy"), I do hereby certify that I am familiar with such policy and have maintained all of the Region's records in accordance with the Record Retention and Destruction Policy. Relying upon certificates executed by each District Record Retention and Destruction Coordinator within the Region, I certify that except as reflected on the attached Schedule of Suspension Notices which remain open at the date of this Certification, all of the district records within the Region have been maintained and/or destroyed in accordance with the Record Retention and Destruction Policy. Further, I certify that the Region's records have been maintained and/or destroyed in accordance with the policy.

Dated this _____ day of December, 19__.

(Signature)_____
(Typed or Printed Name)

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APPENDIX "C"

DISTRICT OR CORPORATE DEPARTMENT CERTIFICATE
RECORD RETENTION AND DESTRUCTION

I am the Record Retention and Destruction Coordinator for _____ (fill in district or corporate department), and in such capacity, I have custody of the district's or corporate department's records. In accordance with BFI Corporate Policy #011 of the Policy and Procedures Manual (the "Record Retention and Destruction Policy"), I do hereby certify that I am familiar with such policy and have maintained and/or destroyed all of the district's or corporate department's records in accordance with the Record Retention and Destruction Policy. The attached Schedule of Suspension Notices accurately reflects all such Suspension Notices applicable to this district or corporate department and their status, as of the date of this Certification.


This Certificate can be relied upon by the Regional or Corporate Record Retention and Destruction Coordinator.

Dated this _____ day of December, 19__.

(Signature)

(Typed or Printed Name)

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APPENDIX "D"

SUSPENSION OF RECORD RETENTION
AND DESTRUCTION PROCEDURE

The following procedure is designed to provide a mechanism which will assure that records related to litigation or other legal proceedings will not be inadvertently destroyed pursuant to the Record Retention and Destruction Policy. The wrongful destruction of records related to litigation or other legal proceedings could have very serious consequences for the Company including hindering the Company's ability to defend itself and making it impossible for the Company to respond to document production requests required in such matters. Therefore, it is critical that the procedures set forth below be carefully followed as a part of the Record Retention and Destruction Policy and that the document destruction process outlined in the Policy be carefully followed and observed.

Upon receipt or notice of a document requirement, the person responsible for managing the litigation or other legal proceeding ("Responsible Managing Person") to which the documents pertain shall carefully review the document requirement to determine the documents covered and the locations affected.

Immediately upon conclusion of that review, the Responsible Managing Person shall advise in writing ("Suspension Notice") the Record Retention and Destruction Coordinator ("RRDC") at the affected location and region of the document requirement. The Suspension Notice will, as completely as possible, describe the categories of documents affected, and, if applicable, transmit a copy of the actual request. The Corporate RRDC will receive a copy of the Suspension Notice. As to documents within those categories, the normal destruction schedule shall be suspended until further advised.

The Responsible Managing Person for each litigation or other legal proceeding shall advise the RRDC at the affected location in writing when the document requirement with regard to a particular matter has been fulfilled or for any other reason is no longer applicable and the suspension is no longer required. A copy of the notice of the lifting of the suspension shall be provided to the affected Regional RRDC and to the Corporate RRDC.

At the time the suspension is lifted, any documents which, but for the suspension would have previously been destroyed, can then be destroyed immediately. All other documents for which the retention period has not expired shall thereafter be destroyed according to the normal retention and destruction time schedule under the Record Retention and Destruction Policy as if the suspension had not occurred.

Each RRDC at an affected location shall retain a separate file of all such Suspension Notices received. As part of the annual certification pursuant to the Record Retention and Destruction Policy, each location shall submit a list of all open Suspension Notices listing separately by the name of the matter as set forth in the Suspension Notice, those notifications which have been received during that

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calendar year, those which remain open from prior calendar years, and any that have been closed during that calendar year. The Corporate RRDC shall review the list and advise any affected locations and the Responsible Managing Person in writing regarding any discrepancies.

At the end of each quarter of the Company's fiscal year, the Corporate RRDC will produce a list of open suspensions based on the files of Suspension Notices and notices lifting suspensions received by the Corporate RRDC, and will circulate the list for review by each department responsible for managing the litigation or other legal proceedings who shall review the list and confirm its accuracy and correct any errors.

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